

CITY OF PALM BEACH GARDENS
DEVELOPMENT APPLICATION

Planning and Zoning Department
CITY OF PALM BEACH GARDENS
10500 North Military Trail
Palm Beach Gardens, FL 33410
(561) 799-4243 Fax (561) 799-4281

Request:

- | | |
|--------------------------------------------------------------|-----------------------------------------------------|
| <input type="checkbox"/> Planned Community Development (PCD) | <input type="checkbox"/> Annexation |
| <input type="checkbox"/> Planned Unit Development (PUD) | <input type="checkbox"/> Rezoning |
| <input type="checkbox"/> Amendment to PCD, PUD or Site Plan | <input type="checkbox"/> Site Plan Review |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Concurrency Certificate |
| <input type="checkbox"/> Amendment to the Comprehensive Plan | <input type="checkbox"/> Time Extension |
| <input type="checkbox"/> Administrative Approval | <input type="checkbox"/> Miscellaneous |
| <input type="checkbox"/> Administrative Appeal | <input type="checkbox"/> Other <input type="text"/> |

Date Submitted:

Project Name: _____

Owner: _____

Applicant (if not Owner): _____

Applicant's Address: _____ Telephone No. _____
University Park, FL 34201

Agent: _____

Contact Person: _____ E-Mail: _____

Agent's Mailing Address: _____

Agent's Telephone Number: _____

FOR OFFICE USE ONLY	
Petition Number: _____	Date & Time Received: _____
<u>Fees Received</u>	
Application \$ _____	Engineering \$ _____
Receipt Number: _____	

Architect: _____

Engineer: _____

Planner: _____

Landscape Architect: _____

Site Information:

Note: Petitioner shall submit electronic digital files of approved projects. See attachment for details.

General Location: _____

Address: _____

Section: _____ Township: _____ Range: _____

Property Control Number(s): _____

Acres: _____ Current Zoning: _____ Requested Zoning: _____

Flood Zone _____ Base Flood Elevation (BFE) – to be indicated on site plan _____

Current Comprehensive Plan Land Use Designation: _____

Existing Land Use: _____ Requested Land Use: _____

Proposed Use(s) i.e. hotel, single family residence, etc.: _____

Proposed Square Footage by Use: _____

Proposed Number and Type of Dwelling Unit(s) i.e. single family, multifamily, etc. (if applicable):

Justification

Information concerning all requests (attach additional sheets if needed.)
{Section 78-46, Application Procedures, Land Development Regulations.}

1. Explain the nature of the request:

2. What will be the impact of the proposed change on the surrounding area?

3. Describe how the rezoning request complies with the City's Vision Plan and the following elements of the City's Comprehensive Plan - Future Land Use, Transportation, Housing, Infrastructure, Coastal Management, Conservations, Recreation and Open space, Intergovernmental Coordination and Capital Improvement.

4. How does the proposed project comply with City requirements for preservation of natural resources and native vegetation (Section 78-301, Land Development Regulations)?

5. How will the proposed project comply with City requirements for Art in Public Places (Chapter 78-261, Land Development Regulations)?

6. Has project received concurrency certification?

Date Received:

Legal Description of the Subject Property

(Attach additional sheets if needed)

Or see attached deed for legal description.

Location

The subject property is located approximately _____ mile(s) from the intersection of _____
_____, on the north, east, south, west side of _____
_____ (street/road).

Statement of Ownership and Designation of Authorized Agent

Before me, the undersigned authority, personally appeared _____
_____ who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.

2. That he/she is requesting _____ in the City of Palm Beach Gardens, Florida.

3. That he/she has appointed _____ to act as authorized agent on his/her behalf to accomplish the above project.

Name of Owner: _____

Signature of Owner

By: Name/Title

Street Address

City, State, Zip Code

P. O. Box

City, State, Zip Code

Telephone Number

Fax Number

E-mail Address

Sworn and subscribed before me this _____ day of _____, _____.

Notary Public

My Commission expires:

Applicant's Certification

I/We affirm and certify that I/we understand and will comply with the land development regulations of the City of Palm Beach Gardens, Florida. I We further certify that the statements or diagrams made on any paper or plans submitted here with are true to the best of my/our knowledge and belief. Further, I/we understand that this application, attachments, and application filing fees become a part of the official records of the City of Palm Beach Gardens, Florida, and are not returnable.

Applicant is:

Signature of Applicant

Owner

Print Name of Applicant

Optionee

Street Address

Lessee

City, State, Zip Code

Agent

Telephone Number

Contract Purchaser

Fax Number

E-Mail Address



Permit # _____

Financial Responsibility Form

The owner understands that all City-incurred professional fees and expenses associated with the processing of this application request are ultimately the responsibility of the owner. A security deposit shall be deposited in an interest-bearing account with any accrued interest to be retained by the City of Palm Beach Gardens.

The owner and/or designee shall be invoiced on a monthly basis for professional fees such as, but not limited to, consultant engineering services, legal services, advertising costs, and/or any other costs attributable to the processing of the permit for which the City incurred during the previous month. The owner and/or designee shall reimburse the City within thirty (30) days from date of invoice. If payment is not received, the City may utilize the security deposit for re-imbusement purposes. **All activities related to the pending permit(s) will cease until any outstanding invoices are paid.**

The owner/designee further understands that transfer of this responsibility shall require a completed form, signed and notarized by the responsible party, and delivered to the City Planning and Zoning Department if the name and/or address of the responsible party changes at anytime during the application review process.

Owner signature

Date

Owner printed name

Property Control Number

DESIGNEE/BILL TO:

Designee Acceptance Signature

NOTARY ACKNOWLEDGEMENT

STATE OF _____

COUNTY OF _____

I hereby certify that the foregoing instrument was acknowledged before me this ___ day of _____, 20___, by _____. He or she is personally known to me or has produced _____ as identification.

Notary public signature

Printed name

State of _____ at-large

My Commission expires: _____

PROJECT NARRATIVE
Gardens Walk Planned Unit Development (PUD)
PUD Amendment
Submitted: September 13, 2021
November 11, 2021 Rev.



Urban Design
Land Planning
Landscape Architecture

Location/Request

On behalf of 3195 PGA, LLC, please accept this letter as our request for an amendment to the Gardens Walk Planned Unit Development (PUD) to allow a 12,025-square-foot multi-tenant outparcel building located at the northeast corner of the subject property. The request also includes three (3) requests for Waivers to the Palm Beach Gardens (PBG) Land Development Regulations (LDRs), which additional detail is provided herein.

The 4.4-acre PUD site is located on the south side of PGA Boulevard, approximately one tenth of a mile from the intersection of Fairchild Gardens Avenue and PGA Boulevard within the jurisdictional boundaries of the City of Palm Beach Gardens, FL. The project's Parcel Control Number (PCN) is 52-43-42-06-00-000-5050. The subject site is located with the PGA Boulevard Corridor Overlay.

History

On May 4, 1989, the City Council adopted Ordinance 50, 1988, which created the Gardens Walk PUD, and approved the Site Plan, Landscape Plan, Elevation Plan and Signage Plan for the project.

On June 18, 1992, the City Council adopted Ordinance 16, 1992, approving an amendment of Ordinance 50, 1988 by amending the approved site plan together with other terms and conditions for the use of a retail business (Toys R' Us).

On June 15, 2020, the City staff approved ADMN-20-03-000876, allowing site and landscaping modifications for the former Toys R Us project to allow for the new PGA Tour Superstore tenant. All associated work has been completed.

Land Use & Zoning

The Gardens Walk PUD site has a Future Land Use designation of Commercial (C) and Zoning designation of Planned Unit Development (PUD) with underlying General Commercial-1 (CG-1). For context, the zoning and land use designations of properties adjacent to the Gardens Walk PUD are as follows:

ZONING CLASSIFICATION & LAND USE DESIGNATIONS OF ADJACENT PROPERTIES

EXISTING USE	ZONING	LAND USE
Subject Property Gardens Walk Planned Unit Development (PUD)	Planned Unit Development (PUD) / General Commercial-1 (CG-1)	Commercial (C)
North PGA Boulevard / Regional Center / Gardens Mall	Right of Way / Planned Community Development (PCD)	Commercial (C) / Professional Office (PO)
South Vacant Undeveloped Site (North County Governmental Center)	Planned Community Development (PCD)	Public (P)
US Post Office	Public / Institutional (P/I)	Public (P)
East Driver License Center (North County Governmental Center)	Planned Unit Development (PUD) / Public/Institutional (P/I)	Public (P)
West Gardens Plaza	Planned Unit Development (PUD) / General Commercial-1 (CG-1)	Professional Office (PO)

Subject Request

The Applicant is requesting approval of a PUD amendment to allow the construction of a 12,006-square-foot, multi-tenant outparcel building located at the northeast corner of the subject site. Proposed uses will include a 3,875 square foot dine-in restaurant, with 430 square feet of outdoor seating, a 2,918 square foot retail user, and a 5,213 square foot professional office use.

Additionally, as part of this request, the Applicant is proposing architectural enhancements to the existing building on-site that is currently utilized by the PGA Tour Superstore tenant, as well as wall and monument sign enhancements.

Site Plan

The site has been designed to place the proposed multi-tenant outparcel building in the northeast corner of the site adjacent the intersection of PGA Boulevard and the project’s access driveway. This allows for the building to have dual frontage and not block the visibility of the existing PGA Tour Superstore.

Applicant is proposing hardscape and landscape enhancements within the PGA Boulevard 55-foot parkway buffer that will provide connectivity to the existing pedestrian sidewalk within the PGA Boulevard right-of-way and include a fountain amenity at the corner.

As noted previously, The City staff is requesting the applicant provide for additional right-of-way easement, totaling 41-feet with the existing right-of-way easement in place, along the entire length of the east portion of the site. This additional right-of-way will eliminate parking, landscaping, and impact the proposed building’s setback. As a result, the proposed taking has required the applicant to request Waivers to the City’s LDRs to allow for deviations to the amount of parking provided, building setback, foundation planting, and buffer treatment. Additionally, the applicant is requesting the City allow the existing twelve (12) parking spaces shown within the proposed additional right-of-way easement to remain until such time as the City is prepared to construct the future roadway extension. This parking is not included in the provided parking tabulation, however is listed as a separate ‘temporary’ parking being provided.

Also, at the request of City staff, and further encumbering the site’s current configuration, the applicant is proposing to realign the site’s only access point for alignment with the approved access point of the Tax Collector site. This realignment of the existing access requires that the entry driveway and parking be reconfigured so as to provide access to both the proposed multi-tenant outparcel building and the existing building (PGA Tour Superstore).

The following is an analysis of the proposed site plan and in consistency with the applicable City Code provision:

SITE ANALYSIS: Gardens Walk PUD Amendment Application			
	COMPARISON TO CG-1 ZONING DISTRICT	PROPOSED/EXISTING CONDITIONS	CONSISTENT
<i>Max. Height Limit</i>	36 feet	28'	Yes
<i>Min. Site Area</i>	1 acre	4.4 acres	Yes
<i>Max. Lot Coverage</i>	35%	27.3%	Yes
<i>Max. Lot Width</i>	100'	400'	Yes
<i>Setbacks</i>			
<i>Front</i>	50'	56.7'	Yes
<i>Side Facing Street</i>	40'	17.4'	Waiver requested for reduction of 22.6' of setback
<i>Side</i>	15'	15'	Yes
<i>Rear</i>	15'	15'	Yes
<i>Parking</i>			
<i>Required</i>	220	161	Waiver requested for reduction of 59 parking spaces

SITE ANALYSIS: Gardens Walk PUD Amendment Application			
	COMPARISON TO CG-1 ZONING DISTRICT	PROPOSED/EXISTING CONDITIONS	CONSISTENT
<i>Parking Space Size</i>	10' x 18.5' spaces 9.5 x 18.5' spaces 12' x 18.5' spaces	10'x18.5' - 132 spaces 9.5x18.5' - 14 spaces 12'x18.5' - 14 spaces	Yes
<i>Open Space</i>			
<i>Open Space</i>	24.5%	35%	Yes

<i>Landscaping</i>			
<i>Buffers:</i>			
<i>North</i>	55"	55"	Yes
<i>South</i>	8'	8'	Yes
<i>East</i>	15'	0' along 91'+ of the east property line where it abuts the multi-tenant outparcel building	Reduction of 15' for 91'+ of the east property line
<i>West</i>	8'	8'	Yes

Access

Access to the site is currently gained from the shared driveway with the adjacent Tax Collector site to the east, and existing traffic light on PGA Boulevard, which also gives access to the Gardens Mall main entrance to the north. The site can be accessed by vehicles traversing in both eastbound and westbound directions, as well as those driving south from the Gardens Mall. A five-foot-wide sidewalk exists along the PGA Boulevard buffer that continues into the site on the west side of the access driveway.

Based on discussions from a pre-application meeting held with the City staff, it is the applicant's understanding that the City of Palm Beach Gardens desires to plan for the future connection of the existing shared driveway and traffic signal to Fairchild Avenue to the south and Campus Drive to the east via the subject property, the adjacent development owned by the PBC Tax Collector, and property owned by the City to the south and east that make up the majority of the previously mapped rights-of-way. In order to accomplish this endeavor, the City staff has requested the applicant provide additional easement to that existing, for a total of 41-feet of the eastern portion of the site in order to provide for the required 60-foot of right-of-way required for the future connector. A proposed right-of-way easement cross section exhibit has been provided as part of this submittal for review by the City.

Landscaping/Hardscape/Open Space

The applicant is building upon the landscape improvements approved and constructed as part of administrative request ADMN-20-03-000876 to accommodate the PGA Tour Superstore as the new anchor tenant.

This request incorporates both a request for architectural modifications for the PGA Tour Superstore, where applicant is additionally proposing minor entry sidewalk and planting modifications along the frontage improvements proposed for the final architecture proposed, as well as approval of the proposed outparcel building and landscaping. Additionally, with this request, the applicant is proposing to enhance the existing 55' buffer along PGA Boulevard, adjacent the proposed multi-tenant outparcel building, with plaza area, fountain amenity, and plantings that will include royal palms, annuals, and 'red tip' cocoplum shrubs, for continuity of the existing portion of the sites 55' buffer area.

As a result of the City's request for additional right-of-way along the east perimeter, the applicant is requesting the City allow for a condition of approval to be placed on the project that allows for the required east 15' buffer to be installed post construction of the future connector road. This will allow for the existing configuration and site improvements to remain until such time as the roadway improvements have been completed.

The applicant is proposing no changes to the existing west and south buffers, which contain Live Oaks, Sabal Palms, Green Buttonwood, Japanese Privet, 'red tip' cocoplum and green schefflera hedges and other small plantings to screen the uses.

Interior plantings proposed include Royal Palms at the property access, and Live Oak and Japanese Blueberry trees within the drive isles and parking areas. These will be accented with 'red tip' cocoplum shrubs and annual plantings.

The site is required to provide 15%, or 28,772 SF (0.66 AC) of open space. Through careful design and consideration of the existing and proposed structures and improvements, the site currently provides for 24.5%, or 47,039.14 SF (1.08 AC) of open space. Site is required 3,846.18 landscape points (based on 8 points per 100 SF) and is providing a total of 6,925.72 points site wide.

Applicant is requesting reductions in the widths of the south, east, and west foundation planting areas for the multi-tenant outparcel building, see waivers, and a reduction / relocation of the required tree or palm cluster for every 30 linear feet or fraction thereof. Due to the urban design of the site, impacts on existing conditions, and the proposed architecture with characteristic canopies, the applicant is proposing to provide for foundation treatments that will not conflict with the architectural treatments or create impacts on the existing areas of the site not included in the proposed redevelopment area of the new building by extending the foundation planting areas. Applicant is proposing to eliminate the requirement for approximately 11 trees.

Architecture

The proposed multi-tenant outparcel building has been designed with a more contemporary form, providing for an updated look for the development. Design elements of the existing principal building are also being modified to compliment the proposed multi-tenant outparcel building, however continuing to incorporate some existing elements as well. The materials used are intended to add interest to the appearance through the use of classic stone, more contemporary metals, and warmer wood tones.

With respect to the existing principal building, along with the exterior façade elements mentioned above, prior arch elements along the building frontage are being modified and existing tile roof is being replaced with a natural grey Bermuda smooth roof tile to complement the building color selections.

Parking/Loading

Based on the existing and proposed uses within the PUD, the applicant is requesting a Waiver for a reduction in the amount of parking provided. Below is a chart of the existing and proposed parking tabulations.

EXISTING USE	TOTAL SF	PARKING RATIO	REQUIRED	PROVIDED	DEVIATION
Anchor/Retail (PGA Tour Superstore)	36,850	1/250	147 <i>(105 per Parking Study)</i>	88	-59
PROPOSED USES					
Retail	2,918	1/250	12	12	-0-
Restaurant: Indoor Outdoor	3,875 430	1/150 Cus. Serv. 1/250 GFA Emp. 1/250 GFA Outdoor	44	44	-0-
Professional Office	5,213	1/300	17	17	-0-
TOTALS			220	161	-59

Based on the above tabular, the applicant is requesting a Waiver to allow for a reduction of 59 parking spaces for the site.

Applicant is additionally requesting that the existing non-conforming parking in the unaffected area of the site be permitted to remain in its current configuration with twenty (20), sixteen (16), and twelve (12) spaces in a row without a dividing landscape island, where shown on the Site Plan as 'Existing Parking to Remain'.

Applicant is providing for the required bicycle parking with six (6) bicycle spaces located southeast corner of the proposed multi-tenant outparcel building.

Signage

Applicant is requesting waivers to the City's Land Development Regulations, Section 78-285, Table 24, Permanent Signs, as they relate to both the existing principal building and the proposed multi-tenant outparcel building.

Overall Project

Applicant is requesting to replace the current monument sign located along PGA Boulevard with a new monument sign that will provide for both the principal user and the proposed 3 tenants within the multiple use multi-tenant outparcel building.

As part of this request the applicant is requesting to reduce the minimum letter height for tenant identification from 6" to 4" to allow for sufficient spacing. See Sign Program for additional details

Existing Building

Applicant is requesting to replace the current PGA Tour Superstore sign with a sign more consistent with that permitted for the prior Toys R Us retail use.

The prior retail use was approved for a wall sign that was 6'+ in letter height and approximately 33' in length with an overall copy area at approximately 198 SF.

With this request, the applicant is proposing a sign that allows for a 84" (7') logo with first line of text at 19 ¾" (1.5'+) letter height and second line of text at 37 ½" (3'+) of letter height for balance with the logo, along with total copy area at approximately 235 SF, which is an additional 37 SF above the prior retail user.

Multi-Tenant Outparcel Building

Applicant is further requesting deviations to the sign regulations for the multi-tenant outparcel building. Due to the building's proximity to the adjacent roadways, applicant is requesting that each tenant be permitted a sign facing PGA Boulevard and the east end cap user also be permitted a sign facing the entrance drive to the east. And with the building surrounding by parking on two sides, applicant is additionally requesting that each tenant be permitted a sign facing the parking fields to the south, with one additional sign permitted for the west end cap user, facing the parking field to the west. Signs facing PGA and the interior parking fields has been granted to other users with frontage along the PGA corridor who have parking to the rear of the buildings. In brief, two signs per tenant with an additional sign for end cap users.

Based on the potential users of the multi-use outparcel building, applicant is also requesting to increase the overall copy area from the permitted 70 SF to 100 SF to ensure that any national logos can be accommodated. This is an increase of 30 SF of copy area. Also requested to be increased is the tenant letter size from the permitted 24" to 42", again to accommodate potential users.

Applicant is proposing blue, black, grey, and red for the sign package, with the exception of any nationally registered logos, which would be permitted per the code, and flexibility in the shape of the signs.

Pedestrian Connectivity

The site includes pedestrian connection from PGA Boulevard to the proposed multi-tenant outparcel building.

Lighting

Applicant has providing for photometric lighting plans that meet the City of Palm Beach Gardens Land Development Regulations for the area affected by this request. There are no proposed changes to the existing lighting in the unaffected area of the site.

Environmental

The City requires 25% of environmentally-significant lands be preserved on site. The site does not contain any environmentally-significant lands. The proposed new development will improve the esthetic quality of the site.

Concurrency

Included in this application is a request for concurrency for the addition of 12,113 SF of retail, restaurant and office uses. The proposed project will comply with all required levels of service standards as adopted by the City. Total capacity requirements of the proposed project will be available at the time of construction of the project as evidenced by the following:

Roadway System: Attached is a traffic analysis which indicates that the project build-out date will be the end of 2026 and that no additional intersection or roadway modifications are required for acceptable operation.

Wastewater: The Seacoast Utility Authority has service availability for the proposed project upon the payment of connection fees, administration fees and capacity reservation fees.

Solid Waste: The Solid Waste Authority has provided a statement that capacity for solid waste is available through the year 2054.

Potable Water: The Seacoast Utility Authority has service availability for the proposed project upon the payment of connection fees, administration fees and capacity reservation fees.

Drainage: The proposed drainage system will be designed in accordance with the City of Palm Beach Gardens, NPBCID, and SFWMD's requirements. The system will consist

of a series of interconnected catch basins and pipes that will manifold into the existing parking lot's drainage system. Water quality for this development will be provided in additional exfiltration trench that will be constructed as part of the project.

The proposed project discharges into the overall property's existing drainage system. The drainage system outfalls into SFWMD 's C-18 Drainage Basin. This development will not adversely affect the allowable discharge of 41.6 CSM. As mentioned previously, exfiltration trench will provide the additional water quality treatment needed for the additional impervious area.

Phasing

All proposed improvements will be completed in one phase.

Waiver Requests

As part of this request for an amendment to the PUD, the applicant is also requesting the following waivers for deviations from the land development regulations. A number of the waivers requested are a result of a request by the City of Palm Beach Gardens for increased right-of-way easement along the east perimeter of the site.

Waiver: LDR Section	Waiver: Request	Required	Proposed
W1: Section 78-153, Table 12	Building Side Street Setback Reduction	40'	17.4' (-22.6')
W2: Section 78-345, Table 33	Reduce number of required parking spaces	220 parking spaces	161 parking spaces (-59)
W3: Section 78-364, Table 35	Reduce number of required loading spaces	3 loading spaces	1 loading space (-2)
W4: Section 78-315(b)	Allow for more than 9 parking spaces in a row	Landscape Island every 9 parking spaces	Existing conditions provide for more than 9 parking spaces in a row.
W5: Section 78-319(a)(1)	Allow for the required 15' side street buffer to be eliminated adjacent the multi-tenant outparcel building	15' side street perimeter buffer	Eliminate approximately 91' of the east perimeter buffer, adjacent the multi-tenant outparcel building
W6: Section 78-320	Reduce the foundation planting width requirements for outparcel Bldg.	South 5' East 5' West 5'	South 4.9' (-3") East 3.6' (-1.4') West 3' (-2')

Waiver: LDR Section	Waiver: Request	Required	Proposed
W7: Section 78-320	Reduce/relocate foundation tree/ palm planting requirements	South 5 trees East 3 trees West 3 trees <i>(1 tree/palm cluster every 30 linear feet)</i>	South – Eliminate 2 Relocate 3 East – Eliminate 1 Relocate 2 West – Eliminate 1 Relocate 2
W8: Section 78-285, Table 24	a. Reduce letter size requirements for a Monument Sign	Min. 6" letter height	4' letter height (-2")
	b. Increase the max. copy area for a Principal Wall Sign	90 SF	235 SF (+145 SF)
	c. Increase the max. letter size for a Principal Wall Sign	36"	37 ½" letter size 84" logo
	d. Increase the max. copy area for a Tenant Wall Sign	70 SF	100 SF (+30 SF)
	e. Increase the number of tenant wall signs for interior tenant spaces	1 sign	2 signs (+1 sign)
	f. Increase the number of tenant wall signs for end cap tenant spaces	1 sign	3 signs (+2 signs)
	g. Allow tenant wall signs to face interior to the parking area	Signs to face adjacent ROWs	Allow signs to face parking areas.
	h. Allow an increase in the max. letter size for tenant wall signs	24"	42"
	i. Allow for custom shapes	Signs must be consistent in shape	Allow tenants flexibility on sign shapes.

Waiver Criteria

(1) The request is consistent with the city's comprehensive plan.

Waivers 1 through 8: *The proposed waivers are consistent with the provisions of the Land Development Regulations that allow for waivers in a PUD. The proposed waivers are not in violation of the Comprehensive Plan.*

(2) The request is consistent with the purpose and intent of this section.

Waivers 1 through 8: *This request is consistent with the provisions of the code that allow waiver requests within a Planned Unit Development district necessary to implement the site plan, based upon the most comparable zoning district.*

(3) The request is in support of and furthers the city's goals, objectives, and policies to establish development possessing architectural significance, pedestrian amenities and linkages, employment opportunities, reductions in vehicle trips, and a sense of place.

The approval of the site plan and architectural design of the overall project satisfies the city's goals and objectives for a project with architectural significance, pedestrian amenities and linkages, creating a sense of place and employment opportunities.

Waiver 1: *The site has been designed to position the proposed multi-tenant outparcel building along the edges of the two adjacent roadways and create a sense of place along PGA Boulevard with plaza area, outdoor seating, plantings, and amenities. In order to position the proposed multi-tenant outparcel building and not negatively affect the existing building and parking fields, it has been placed in close proximity to the entry drive. Initial reviews of the proposed development with the City Staff resulted in new information regarding the City's desires to redevelop the entry drive as a 60' right-of-way section connecting to properties to the south and is requiring the applicant to shift the entrance into the site north to align with the Tax Collector site. These additional requirements along the east property line causes the proposed building placement to not be in compliance with the required side setbacks for streets and other site deficiencies. Applicant is requesting this waiver to allow for a reduction in the required setback from 40' to 17.4' from the edge of pavement, thus furthering the City's goals.*

Waiver 2: *Applicant is requesting to reduce the amount of required parking for the site by 59 parking spaces based on the needs of the existing PGA Tour Superstore and the proposed tenants of the multi-tenant outparcel building. The PGA Tour Superstore requires a large amount of display space for oversized inventory and equipment, which does not equate to a corresponding amount of parking required by the City's code for the typical large retail use. Additionally, the retail user is a specialty retail that attracts a specific clientele, unlike other large retail stores, such as Target. Applicant believes that providing for the parking required for the multi-tenant outparcel building and reducing the parking for the PGA Tour Superstore from 147 parking spaces to 88 parking spaces is*

not an unreasonable request, nor will it have any negative impacts on the overall development. The parking deficiency is further increased by the request of the City to provide additional right-of-way along the east boundary of the site, eliminating an additional 17 parking spaces, and realignment of the entry point. This request is consistent with this criterion in that it allows for added employment opportunities, an efficient use of the land and compact development.

Waiver 3: *Applicant is requesting to reduce the number of required loading spaces for the site from three (3) to one (1) loading space, currently located at the PGA Tour Superstore. The proposed multi-tenant uses do not require the same large truck loading needs as the PGA Tour Superstore. It is anticipated that the smaller multi-tenant users will receive deliveries from smaller box truck type vehicles which typically utilize standard parking.*

Waiver 4: *Applicant is requesting approval to allow the existing unaffected parking to remain in its current configuration with up to twenty parking spaces in a row. These parking configurations were permitted at the time of original construction of the existing building. Bringing the areas up to current code would further increase the parking deficiency, which would not be consistent with the City's goals.*

Waiver 5: *As a result of the City's request for additional right-of-way and conversion of the adjacent driveway to a future connector road, the applicant is requesting to allow for a reduction in the required 15' side street perimeter buffer as that requirement cannot be met without major redesign of the site.*

Waivers 6 & 7: *Applicant is requesting to reduce the width of the required foundation planting areas and relocate/reduce the tree/palm requirement for the multi-tenant outparcel building on the south, east, and west building elevations. In an effort to provide for an efficient use of an existing site, provide clear visibility and a building design that provides for architectural significance, as well as provide for the maximum amount of parking with the least impact on existing portions of the site, the applicant is requesting to reduce the width of the foundation planting areas and relocate/reduce the tree/palm planting requirements. Applicant is required to provide a total of eleven (11) trees or palm clusters for the noted elevations. Applicant has located seven (7) of the required trees in close proximity to the building, within the larger planting isles, and requests to waive the remaining 4 trees. Applicant proposes to meet all other foundation planting requirements as provided for in the land development regulations.*

Waiver 8: *At the request of the potential tenants, the applicant is requesting a number of modifications to the sign regulations, including additional signage, modified min. and max. letter heights, and increased copy areas. In today's market, visibility is a key factor for a successful business. The proposed deviations further the goal of the applicant in providing its tenants with sufficient, clear, and visible signage, furthering the City's goals for employment opportunities and sense of place. The City has previously granted waivers to businesses along the PGA corridor to include additional signage, and other*

minor dimensional allowances, for signs facing the adjacent roadway(s) and interior parking lot areas, thus this request is compliant with the City's goals.

(4) The request demonstrates that granting of the waiver will result in a development that exceeds one or more of the minimum requirements for PUDs.

The requested waivers do result in a development exceeds one or more of the minimum requirements for a PUD, in particular an increase in the open space provided by 10%. Additionally, approval of the requested waivers allows the applicant provide for a design of the overall project that furthers the city's goals and objectives with architectural significance, pedestrian amenities and linkages, creating a sense of place and employment opportunities.

Waiver 1: *This waiver request to reduce the side street building setback is largely a result of the request of the City to provide for additional right-of-way for the proposed future construction of a 60' connector roadway between this development and the adjacent development to the east. The request is also a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site.*

Waiver 2: *This request to deviate from the required parking is the result of both the request of the City to provide for additional right-of-way, reducing the parking on the site by 17 parking spaces, for the proposed future construction of a 60' connector roadway between this development and the adjacent development to the east and a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site. This request to reduce the required parking by 59 parking spaces allows for this unique redevelopment of an older big box site.*

Waiver 3: *This request to deviate from the required loading result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site. Providing two (2) additional loading spaces on this site requires a further reduction of available parking on the site and would not benefit the development or the potential tenants.*

Waiver 4: *This waiver is to allow for the exiting conditions of more than 9 parking space in a row to remain. Subjecting the site to bringing these areas up to current code standards would reduce the parking provided on the site even further by approximately seven (7) additional parking spaces.*

Waiver 5: *This waiver request to eliminate a 91'+/- section of the required 15' perimeter buffer is largely a result of the request of the City to provide for additional right-of-way for the proposed future construction of a 60' connector roadway between this development*

and the adjacent development to the east. The request is also a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site and provide for pedestrian spaces along the PGA Corridor.

Waiver 6 & 7: *These waivers to reduce the foundation planting areas and relocate/reduce the tree/palm planting requirements is a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site and provide for pedestrian spaces along the PGA Corridor. The applicant's reinvestment into this older site by upgrading the facades of the existing building and providing for an urban design of the new multi-tenant outparcel building provide for an efficient and effective use of the site which allows the applicant to provide for additional open space and pedestrian amenities.*

Waiver 8: *At the request of the potential tenants, the applicant is requesting a number of modifications to the sign regulations, including additional signage, modified min. and max. letter heights, and increased copy areas. In today's market, visibility is a key factor for a successful business. The proposed deviations further the goal of the applicant in providing its tenants with sufficient, clear, and visible signage, furthering the City's goals for employment opportunities and sense of place. The City has previously granted waivers to businesses along the PGA corridor to include additional signage, and other minor dimensional allowances, for signs facing the adjacent roadway(s) and interior parking lot areas.*

(5) The request for one or more waivers results from innovative design in which other minimum standards are exceeded.

Waiver 1: *This waiver request to reduce the side street building setback is largely a result of the request of the City to provide for additional right-of-way for the proposed future construction of a 60' connector roadway between this development and the adjacent development to the east. The request is also a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site and increased amount of pedestrian spaces along the PGA Corridor.*

Waiver 2: *This request to deviate from the required parking is the result of both the request of the City to provide for additional right-of-way, reducing the parking on the site by 17 parking spaces, for the proposed future construction of a 60' connector roadway between this development and the adjacent development to the east and a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site and maintain efficiency in a creative and innovative design. This request to reduce the required parking by 59 parking spaces allows for this*

unique redevelopment of an older big box site using innovate design methods and providing for desired pedestrian amenities within the PGA Corridor.

Waiver 3: *This request to deviate from the required loading result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site. Providing two (2) additional full size loading spaces with maneuverability area on this site requires the further reduction of available parking on the site and would not benefit the development or the potential tenants.*

Waiver 4: *This waiver is to allow for the exiting conditions of more than 9 parking space in a row to remain. Subjecting the site to bringing these areas up to current code standards would reduce the parking provided on the site even further by approximately seven (7) additional parking spaces.*

Waiver 5: *This waiver request to eliminate a 91'+/- section of the required 15' perimeter buffer is largely a result of the request of the City to provide for additional right-of-way for the proposed future construction of a 60' connector roadway between this development and the adjacent development to the east. The request is also a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site and provide for pedestrian spaces along the PGA Corridor.*

Waiver 6 & 7: *These waivers to reduce the foundation planting areas and relocate/reduce the tree/palm planting requirements is a result of the applicant proposing the partial redevelopment of an older urban center that includes both the rehabilitation of an existing building and the development of a new smaller building to bring diversity of services to the site and provide for pedestrian spaces along the PGA Corridor. The applicant's reinvestment into this older site by upgrading the facades of the existing building and providing for an urban design of the new multi-tenant outparcel building provide for an efficient and effective use of the site which allows the applicant to provide for an additional 10% of open space and pedestrian amenities. The granting of these waivers will allow the applicant to maintain efficiency in a creative and innovative design and not have a negative impact.*

Waiver 8: *Although this is a request to deviate from the City's sign regulations, including additional signage, modified min. and max. letter heights, and increased copy areas, the applicant believes that visibility within this older site with buildings that either have a greater setback from PGA Boulevard or have two 'frontages' (that face PGA Boulevard and that which is accessible and faces the interior parking areas.)*

(6) The request demonstrates that granting of the waiver will result in preservation or valuable natural resources, including environmentally sensitive lands, drainage and recharge areas, and coastal areas.

Waivers 1 through 8: *This is an older previously development site that has no existing natural resources or sensitive lands, or the like, but is however preserving the 55' PGA Corridor buffer area, which is being partially redeveloped to allow for pedestrian amenities, plaza areas and plantings.*

- (7) The request clearly demonstrates public benefits to be derived, including, but not limited to, such benefits as no-cost dedication of rights-of-way, extensions of pedestrian linkages outside of the project boundaries, preservation of important natural resources, and use of desirable architectural, building, and site design techniques.**

Waivers 1 through 8: *Approval of the requested waivers provides public benefit through the use of an efficient urban design that creates public usable space and linkages outside the project's boundary along the PGA corridor that is interactive with the proposed building, and provide for clear and informative site signage. Consideration should also be given to the provision of additional right-of-way to the City, at no cost to the City, for the purposes of a future connector road between the subject site and the adjacent site to the east, along with landscape enhancements of the existing site.*

- (8) Sufficient screening and buffering, if required, are provided to screen adjacent uses from adverse impacts caused by a waiver.**

Waivers 1 through 8: *This is an older previously development site that is being rehabilitated and partially redeveloped. There are no negative impacts that result from the waivers being requested that would require additional screening. The proposed development provides for an attractive urban design with new interactive plaza area and pedestrian amenities, plantings and fountain area. Project continues to also provide for the previously restored portion of the 55' PGA Corridor buffer, perimeter buffers, and interior plantings.*

- (9) The request is not based solely or predominantly on economic reasons.**

Waivers 1 through 8: *The applicant has taken on the endeavor of rehabilitating and revitalizing this older site, including major landscape enhancements, proposal to update the façade on the existing building, and the addition of a new building with complementary uses in an urban setting that provides for a much-needed rehabilitation for the site as a whole. The applicant is not requesting any of the waivers as a result of economic reasons; however, hopes that the City can appreciate the value of the reinvestment into the site as a whole and the public benefits that will be gained.*

- 10) The request will be compatible with existing and potential land uses adjacent to the development site.**

Waivers 1 through 8: *The proposed rehabilitation and partial redevelopment are compatible with the existing and potential land uses that are adjacent the site. To the north is the Gardens Mall, to the east the Tax Collectors proposed new facility, to the*

west an office complex, and to the south property owned by PBC and likely to be developed for public services.

(11) The request demonstrates the development will be in harmony with the general purpose and intent of this section, and that such waiver or waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare.

Waivers 1 through 8: *The proposed waivers are in harmony with the intent of this LDR section as they will allow for unique development design solutions to the redevelopment of the site, thereby providing for a quality commercial development with public benefit and amenities. The granting of these waivers will not be injurious to the area involved or otherwise detrimental to the public health, safety, and welfare, but instead will allow a previously neglected and blighted commercial development to be redeveloped in a manner consistent with the commercial developments all along the PGA Corridor.*

Conclusion

In conclusion, the Applicant respectfully requests approval of this PUD Amendment with Waivers to allow a multi-tenant outparcel building to be located at the north east corner of the subject site, along with architectural enhancements for the existing PGA Tour Superstore building. The Applicant is available to answer any questions or comments. If you have any questions, please don't hesitate to contact Ken Tuma or Sandra Megrue at (561)366-1100, or via email ktuma@udsflorida.com or smegrue@udsflorida.com.